

**Case Officer:** Bernadette Owens

**Recommendation:** Approve

**Applicant:** Albion Land (Three) Limited c/o Quod

**Proposal:** Reserved Matters application to 19/01740/HYBRID - layout, scale, appearance and landscaping details for Phase 1 of the employment development (5,126 sqm GIA), enabling works for later phases and SuDS Swale delivery, with associated landscaping, utilities and access

**Expiry Date:** 5 January 2021

**Extension of Time:** N/A

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## **1. APPLICATION SITE AND LOCALITY**

- 1.1. The application site comprises agricultural land to the southwest of Bicester and is comprised of mainly flat grassland. The site is bound by mature trees and hedgerow with open countryside to the south. To site is situated to the east of Wendlebury Road which also has a rural character defined by hedge lined verges containing mature trees and vegetation. The Langford Brook runs to the east of the site and part of the site to the east is within flood zones 2/3.
- 1.2. To the north is the Bicester Avenue Garden Centre. To the south is the former poultry farm which also has outline consent for employment development (19/01746/OUT).
- 1.3. The site benefits from outline planning consent (19/01740/HYBRID) for 16,800sqm of B1 employment development as part of the Policy Bicester 10 (Bicester Gateway) allocation of the Cherwell Local Plan (Part 1) (2011-2031) which envisages high quality - knowledge based - employment development, creating a gateway to Bicester.
- 1.4. The Hybrid application also included detailed planning consent for a David Lloyd Leisure Club adjacent to Wendlebury Road with separate access taken directly from Wendlebury Road.
- 1.5. The phase 1 reserved matter application site is situated to form the entrance to the employment site between the approved David Lloyd Leisure Club and the adjacent former poultry farm site and would form part of the overall development at this location.
- 1.6. All matters were reserved at outline stage for later approval except for the main point of access from Wendlebury Road which is proposed by way of a new roundabout on Wendlebury Road providing access into the site and linking with Charles Shouler Way, which connects with the A41 to the west.

## **2. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 2.1. The application seeks reserved matters consent for the layout, scale, appearance and landscaping for phase 1 of the development. The red line application boundary for phase 1 includes the entirety of the outline application site to facilitate enabling works across the site to include groundworks and utilities to prepare the site for further phases of development. It is expected that further reserved matter

applications to include layout, scale, appearance and landscaping for these later phases will follow.

- 2.2. The proposed built development within phase 1 comprises 4no. units within two separate buildings with a gross floor area of 5,126sqm. Access is taken from the new roundabout approved under the outline consent incorporating cycle and pedestrian access into the site. Car and cycle parking is provided to the front of the buildings with servicing and deliveries to the rear within landscaped hardstanding areas.
- 2.3. The applicant has indicated that the proposed units are being brought forward speculatively and have been designed to afford maximum flexibility to suit potential future occupiers.
- 2.4. As will be demonstrated through the assessment, the proposal complies with the outline planning permission and therefore can be treated as a reserved matters application. The outline application this reserved matters is made against is subject to Environmental Impact Assessment. A reserved matters application is a subsequent application and the environmental information before the Council must also be considered as to whether it is sufficient to assess the reserved matters scheme and if it is, be taken into account in the determination of the application.

### **3. RELEVANT PLANNING HISTORY**

- 3.1. The following planning history is considered relevant to the current proposal:
- 3.2. 19/01740/HYBRID - Outline planning permission (all matters reserved except for access) for B1 development (Use Classes B1a and/or B1b and/or B1c); highway works (including provision of a new roundabout at the junction between Vendee Drive and Wendlebury Road); creation of a wetland and landscaped areas and associated infrastructure works. - Full planning permission for a health and racquets club, associated access and car parking, outdoor tennis courts, air dome, outdoor swimming pool, spa garden and terrace, and associated landscaping.
- 3.3. 19/01746/OUT - Outline planning application (with all matters reserved excluding access) for B1 development (B1a and/or B1b and/or B1c); access and associated landscaping and infrastructure works.

### **4. PRE-APPLICATION DISCUSSIONS**

- 4.1. No pre-application discussions have taken place with regard to this phase 1 reserved matters development proposal.

### **5. RESPONSE TO PUBLICITY**

- 5.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was **10 December 2020**, although comments received after this date and before finalising this report have also been taken into account in the considerations.
- 5.2. The comments raised by third parties are summarised as follows;
  - Not convinced that the proposals successfully create a high-quality environment;

- More could be made of the boulevard bringing the landscape into the built area;
- Design and layout of buildings result in ineffective active frontage;
- Insufficient emphasis given to pedestrian and cycle accessibility and links;
- No case has been made for removal of trees along Wendlebury Road;
- Place-making potential of new roundabout has not been optimised.

5.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

## 6. RESPONSE TO CONSULTATION

6.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

### PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

6.2. Bicester Town Council – **no objection** - the Town Council welcomes the application, as it will attract businesses to the area.

6.3. Chesterton Parish Council – While there is **no objection** to the application, the following comments are made; safety of pedestrians and cyclists remain poor; concerns regarding highway safety relating to the roundabout; speed limit should be reduced; water infrastructure and supply; limited consideration of links with Wendlebury and Chesterton.

6.4. Wendlebury Parish Council – While there is **no objection** to the application, concerns are raised about the safety of the access to the site, as the road is very narrow at that point.

6.5. Langford Village Community Association – **no comments received**

### INTERNAL CONSULTEES

6.6. CDC Arboriculture - **no comments received**

6.7. CDC Environmental Health – **no objection**

6.8. CDC Planning Policy – **no comments received**

6.9. CDC Building Control – a Building Regulations application will be required.

6.10. CDC Conservation – **no comments to make**

6.11. CDC Ecology – **no objections** in general the landscaping locations broadly follow those set out in the outline application. However, a more interesting grassland such as a meadow grass seed mix managed for wildlife, particularly in areas where there is unlikely to be a need for amenity use such as the roundabout and areas of grass at the entrance would have much greater benefits for invertebrates as well as other species. These aspects are difficult to assess without an overall LEMP yet in place giving reasoning and objectives for planting choices in each location.

There will be impacts on the current ecology of the site from the enabling works and the landscaping proposed for phase one. The measures to be taken to ensure that no biodiversity on site will be harmed during these works needs to be submitted within a full CEMP. This is conditioned for each phase within the Hybrid application and needs submitting pre commencement.

6.12. CDC Economic Development – **no comments received**

6.13. CDC Landscape Services – **no objections** are raised to the proposals. Detailed comments have been in relation to the specification of the proposed planting. It is also suggested that there is the opportunity to incorporate feature trees to unify the road frontage and reduce the scale for pedestrians and cyclists. Ecological implications of the enabling/ground works are raised, and comments are also made relating to the management and maintenance of landscaping.

6.14. CDC Public Art – **no comments received**

6.15. CDC Recreation and Leisure – **no comments received**

6.16. CDC Urban Design – **no comments received**

#### EXTERNAL CONSULTTEES

6.17. OCC Highways – **no objection** has been raised but it is recommended that a more direct route for pedestrian access is provided.

6.18. OCC Drainage (LLFA) – **no objection** - revised surface water drainage design to be submitted as discussed with applicant.

6.19. OCC Archaeology – **no objection**

6.20. BBO Wildlife Trust – **no comments received**

6.21. CPRE – **no comments received**

6.22. Environment Agency - **no objection** - general comments made.

6.23. Natural England - **no comments to make**

6.24. Historic England - **no comments to make**

6.25. Sport England - **no objection** - general comments made.

6.26. Thames Water - **no objection**

6.27. Thames Valley Police – **no comments received**

6.28. Bicester Bike Users Group (BBUG) – **objection** for the following reasons; paths should be segregated to provide for pedestrians and cyclists separately; the design should ensure priority of cyclists on cycle paths requiring motor vehicles to give way to cycle users; roundabout design should include crossing points for pedestrians and cyclists; direct access should be provided for pedestrians and cyclists.

## **7. RELEVANT PLANNING POLICY AND GUIDANCE**

7.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

7.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

#### CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- SLE1 - Employment Development
- SLE2 - Securing Dynamic Town Centres
- SLE3 - Supporting Tourism Growth
- SLE4 - Improved Transport and Connections
- ESD1 - Mitigating and Adapting to Climate Change
- ESD2 - Energy Hierarchy
- ESD3 - Sustainable Construction
- ESD4 - Decentralised Energy Systems
- ESD5 - Renewable Energy
- ESD6 - Sustainable Flood Risk Management
- ESD7 - Sustainable Drainage Systems (SuDS)
- ESD8 - Water Resources
- ESD10 - Protection and Enhancement of Biodiversity and the Natural Environment
- ESD13 - Local Landscape Protection and Enhancement
- ESD15 - The Character of the Built Environment
- ESD17 - Green Infrastructure
- BICESTER 10 - Bicester Gateway
- INF1 - Infrastructure

#### CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 – Layout, design and external appearance of new development

7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- National Design Guide
- SPD Developer Contributions (2018)
- EU Habitats Directive
- Natural Environment and Rural Communities Act 2006
- Conservation of Habitats and Species Regulations 2017
- Environmental Impact Assessment Regulations 2017
- Circular 06/2005 (Biodiversity and Geological Conservation)

## **8. APPRAISAL**

8.1. The key issues for consideration in this case are:

- Principle of development and compliance of the reserved matters scheme with the outline permission
- Design, Layout and Scale
- Landscaping

- Access and highways
- Neighbouring amenity
- Ecology
- Drainage
- Environmental Impact Assessment

Principle of Development and compliance of the proposed reserved matters scheme with the outline permission

- 8.2. The application site forms part of the CLP 2031 Part 1 policy Bicester 10 allocation and benefits from outline planning consent for 16,800sqm of B1 employment development (10/01740/HYBRID - granted 24<sup>th</sup> September 2020) including B1a, B1b and B1c with a restriction on the amount of B1a use to 35% (5,880sqm) of the overall development. The outline consent was granted subject to compliance with the approved parameter plans and a Development Framework Plan as well as other planning conditions relating to the control of the development.
- 8.3. The current application is the first reserved matter application to be submitted following approval of the outline consent and relates to the first phase of development of the employment site comprising 5,126sqm of B1 floorspace accessed from the approved roundabout on Wendlebury Road. Whilst the proposed development is being brought forward speculatively and has been designed to afford maximum flexibility to suit potential future occupiers, it is likely that the occupiers will be B1b or B1c users with ancillary B1a office space at first floor level.
- 8.4. This first phase reserved matter application includes the entire outline application site to facilitate enabling works such ground works and utilities in anticipation of the development of further phases. It is expected that further reserved matter applications to include layout, scale, appearance and landscaping for these later phases will follow.
- 8.5. The appraisal below considers the merits of the scheme and how those matters comply with the outline permission and the parameters and development framework set therein.

Design, Layout and Scale

- 8.6. Policy Bicester 10 requires development on the site to be of high quality, modern design and finish with careful consideration given to architecture and layout and with care given to building heights to reduce overall visual impact. Policy Bicester 10 also requires development on the site to provide structured open spaces and planting that provides a strong landscape setting.
- 8.7. Policy ESD15 of the CLP 2031 Part 1 requires new development to respect its context and take the opportunities available to improve the character and appearance of the area and the way it functions. These development plan policies are consistent with national planning policy in the NPPF, which places great weight on the importance of good design achieving sustainable development.
- 8.8. The Development Framework Plan (DFP) approved as part of the outline consent sets out specific design principles to promote the high-quality development of the site, providing structured open space with a landscape led approach, that achieves a street hierarchy within a permeable layout and active building frontages that provide visual interest.
- 8.9. The layout of the site is generally as expected, taking into account the access point fixed by the approved roundabout and the parameters set within the outline consent

and the DFP. The proposed commercial units are situated either side of the main access road with secondary access and car parking to the front of the buildings and with servicing to the rear. Whilst the buildings are probably set slightly further back than was envisaged through the DFP, the buildings have been designed to achieve the required active frontage and surveillance of the frontage parking areas and the street at both ground floor and first floor level. Landscaping and the provision of street trees have been incorporated within the layout to achieve the landscaped boulevard treatment required to the primary access route, which is in accordance with the landscape led approach to layout design identified through the DFP.

- 8.10. The proposed buildings are two-storey in scale with large work spaces at ground floor and ancillary office space at first floor. The outline parameter plans approved a development of 76.50m AOD within this part of the site which is a maximum building/ridge height of 12m at this location. The two-storey buildings proposed would not exceed this maximum height parameter and are proposed to be constructed at 11.5m to the ridge.
- 8.11. The buildings are proposed in a simple contemporary design and appearance, which is typical of a commercial development. The design includes large sections of glazing which provide for the natural surveillance required through the DFP and enhance the quality and appearance of the building providing articulation and visual interest. Glazing will be aluminium framed with vertical metal cladding to the walls of the units and a metal profile roof. The units will be finished in complementary grey tones, which is typical of commercial development and acceptable in this location. Roof plans also indicate areas for PV panels to be positioned in accordance with the approved Energy Strategy (dated February 2020) for the site.
- 8.12. A feature canopy is proposed to the front and side elevations which will project from the building and frame the main building frontages to each unit, providing visual prominence and distinctive building entrances as required by the DFP. The corners of the units also include additional fenestration, which wraps around the building and provides for further visual interest to the sides of the buildings. This also addresses the corner of Unit 1, which is in a more prominent position at the frontage of the site adjacent to the new roundabout, where an enhanced corner treatment is required by the DFP.
- 8.13. Refuse areas are to be located to the rear of the buildings within the service yard areas and would be enclosed with timber fencing to reduce their visual appearance. This is considered appropriate and consistent with the commercial character of the scheme.
- 8.14. Bike shelters providing secure and covered cycle parking are proposed in a simple contemporary design, conveniently located to the front of the buildings within the main car parking areas where they will be easily accessed and over-looked. The shelters include anchor points where bikes can be secured.
- 8.15. The layout, scale, design and appearance of the buildings is considered to follow the design parameters, principles and approach set out in the Development Framework Plan and parameter plans approved as part of the outline planning permission. As such, the proposals are also considered to be in accordance with the design aspirations for the site, as set out in policy Bicester 10 and the requirements of policy ESD15 of the CLP 2031 Part 1.

#### Landscaping

- 8.16. Policy Bicester 10 requires development on the site to provide structured open spaces and planting that provides a strong landscape setting and policy ESD15 of

the CLP 2031 Part 1 requires new development to respect its context and take the opportunities available to improve the character and appearance of the area and the way its functions. These development plan policies are consistent with national planning policy in the NPPF, which places great weight on the importance of good design achieving sustainable development.

- 8.17. The Development Framework Plan (DFP) approved as part of the outline consent sets out specific design principles to promote structured open space with a landscape led approach including tree lined primary streets and landscaped movement corridors.
- 8.18. Whilst the proposed development of this site will result in the loss of existing mature trees particularly along the site frontage, there is significant opportunity to compensate for this through the landscape treatment to the large area of open space within the eastern part of the site. Further landscape detailing for that area will be secured through subsequent reserved matter application(s).
- 8.19. The phase 1 reserved matter proposals include substantial tree planting throughout the site incorporating an informal arrangement of Birch, Lime, Maple and Oak to the site frontage with a more formal avenue of street trees proposed along the primary route into the site. Tree planting is also proposed to the rear of buildings within and around the service yard areas.
- 8.20. This landscape led approach is in accordance with the requirements of the DFP and assists in connecting the developed areas of the site with the large area of open space to the east, reinforcing the strong landscape setting and creating a high-quality built environment.
- 8.21. The Council's landscape officer has provided detailed comment in respect of the planting plans submitted and has made recommendations for alternative tree species and locations. These amendments have been made by the applicant and revised plans submitted. The landscape officer's additional comments in relation to the roundabout are noted but this does not form part of the phase 1 reserved matters application.
- 8.22. A Landscape Management and Maintenance Plan has been submitted with the application. The landscape officer has also made detailed comments which have been taken into consideration and a revised Management and Maintenance Plan has been submitted accordingly.
- 8.23. The layout, scale, design and appearance of the buildings is considered to follow the design parameters, principles and approach set out in the Development Framework Plan and parameter plans approved as part of the outline planning permission. As such, the proposals are also considered to be in accordance with the design aspirations for the site as set out in policy Bicester 10 and the requirements of policy ESD15 of the CLP 2031 Part 1.

#### Access and highways

- 8.24. Access to the site is taken from the new roundabout on Wendlebury Road which was approved under the outline consent for the site. It was demonstrated to the satisfaction of OCC as highway authority at that time that the new roundabout and proposed access arrangements would provide suitable access for pedestrians, cyclists and vehicles including HGVs.
- 8.25. The internal site layout which has evolved from the outline comprises a primary access street with access points into frontage car parking areas which serve the



proposed commercial units. This is as expected, in accordance with the approved parameter plans and DFP. The layout provides wide footpath/cycleways for pedestrian and cycle access and the applicant has amended the plans as recommended by OCC highways (and referred to by other consultees) to include a 'cut through' access to facilitate a more direct route for pedestrians to units 1 to 3.

- 8.26. Bicester Bike Users Group (BBUG) have raised objections to the application on several points, referring to the DFT Local Transport Note (LTN 1/20), which was published in July 2020. Whilst the comments of BBUG are noted, the outline consent and access arrangements for the site were considered prior to the publication of LTN 1/20 guidance and the phase 1 reserved matter proposals have been developed on that basis. In the main part, 3m wide pedestrian/cycleways are proposed which provides for satisfactory movement of pedestrian and cyclists along shared routes, albeit these are not segregated and do not give priority to cyclists at minor side junctions.
- 8.27. However, a section of footpath on the northern side of the primary access road has been designed at 2m width. This is in accordance with the plans approved under the outline consent. However, through subsequent correspondence with OCC highways on the matter, it was requested that the applicant consider increasing the width of this footpath to 3m to comply with LTN 1/20 guidance. After considering the point, the applicant has set out that they do not believe the change to be necessary and have declined to make the amendment.
- 8.28. On considering the point further and taking into consideration the arrangements which were approved and considered acceptable at the outline stage, I am of the view that in this case, guidance within LTN 1/20 should not be retrospectively applied, as the detailed access arrangements to the site including pedestrian and cycle access has already been considered and approved (prior to the publication of the more recent guidance).
- 8.29. Provision for vehicle parking has been calculated on the basis of B1b and B1c occupiers. OCC Highways have confirmed that the level of provision is satisfactory with sufficient operational space provided for the purposes of servicing and turning of HGV lorries. Secure cycle parking is also conveniently proposed to the front of units within covered cycle parking areas. The design and amount of which is also considered to be acceptable.
- 8.30. The provision of electrical charging points has been raised by OCC Highways and CDC Environmental Health officers. The proposed layout plans indicate the provision of electric charging points within the car park layout. In addition, condition no.50 of the outline consent requires the provision of electrical charging to serve the development to be implemented prior to the occupation of the development including ducting for easy future expansion of the EV charging system.
- 8.31. OCC Highways has also recommended a condition to secure a construction traffic management plan for each phase of the development. This is also already covered by condition no.36 of the outline consent, details pursuant to which have already been submitted for approval. OCC Highways will be consulted as part of that process.
- 8.32. Other comments have been made by consultees which refer to the design and highway safety matters in relation to the proposed roundabout. These are known concerns which have been dealt with at the outline stage to the satisfaction of OCC Highways. The access to the site has been approved and is not for further consideration through this application.

8.33. In light of the above assessment, it is considered that the proposed highway layout and servicing arrangements demonstrated through this reserved matter application are acceptable in accordance with the parameters approved at outline stage. Adequate provision has been made for vehicle and cycle parking including the provision of electric vehicle charging points.

#### Neighbouring Amenity

8.34. Policy Bicester 10 requires development to comply with policy ESD15 of the CLP 2031 Part 1. Policy ESD15 in turn, requires new development to consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation and indoor and outdoor space.

8.35. There are two existing residential properties within the adjacent poultry farm site. The dwellings would be separated from the proposed employment development by at least 110 metres and would be well screened by the existing mature trees within the poultry farm site. Notwithstanding the commercial scale of the proposed development, given the physical separation and existing features within the site, there is unlikely to be any adverse impact to residential amenity as a result of the proposed development, particularly taking into consideration the use of the poultry farm site itself and the impacts which arise from this existing use.

8.36. The adjacent poultry farm site also benefits from outline planning consent for employment development (19/01746/OUT) which will be brought forward as part of the wider development of the application site (under planning permission 19/01740/HYBRID). The S106 attached to the consent for the development of the poultry farm site restricts development on the site until development has commenced in accordance with planning permission 19/01740/HYBRID and units comprising of at least 5,265sqm have been constructed on that site.

8.37. The current phase 1 RM application comprises 5,126sqm of development so that it is expected that further RM applications and development of the poultry farm site will follow shortly.

8.38. The proposed phase 1 development is also set back from Wendlebury Road providing significant separation to the further development proposed to the west of the site (also within the Bicester 10 site allocation) which is being brought forward separately by another developer.

8.39. In light of the above assessment, the impact upon residential amenity as a result of the proposed development is considered acceptable, securing a satisfactory relationship with existing and proposed uses in accordance with policies Bicester 10 and ESD 15 of the CLP 2031 Part 1.

#### Ecology

8.40. The Hybrid application was supported by an Environmental Impact Assessment which included detailed protected species surveys and botanical surveys. These surveys confirmed that the site is of limited value to protected species, except for bats, and flora and fauna interest was also limited. The development of the adjacent poultry farm site (consented under 19/01746/OUT) involves the demolition of buildings which are currently used for bat roosting. Both sites have been identified as foraging and commuting for bats.

8.41. The proposed development of the wider site will include the creation of a wetland/species rich wet grassland (within the eastern part of the site). The details of which are expected/required to come forward through further reserved matter

application(s) and through the approval of a Landscape and Ecological Management Plan to ensure that the development as a whole will deliver adequate mitigation and enhancement for ecology and biodiversity and habitat creation compatible with the adjacent Bicester Wetland Reserve, which will strengthen the wetland corridor along the watercourse and enhance an important wildlife corridor resulting in a net biodiversity gain.

- 8.42. The Council's ecology officer has raised no objections to the proposals which follow the parameters set at the outline stage. Detailed comment has been made about the use of amenity grass rather than a meadow seed mix in this part of the site which if managed appropriately could have greater benefits for invertebrates. Whilst this is a valid point and all opportunities for biodiversity enhancement should be explored, the areas of amenity grass within phase 1 are limited and I would suggest that greater opportunities for the use of meadow grassland with appropriate management will exist within the substantial open space within the eastern part of the site. The ecology officer comments regarding the ecological impact resulting from the enabling works is noted and must be managed to limit any impact. The measures to be taken to protect biodiversity during the construction phase will be secured through a Construction Environmental Management Plan, which is required by condition no.37 of the outline consent, details pursuant to which have already been submitted for approval. The Council's ecology officer will be consulted as part of that process.
- 8.43. It is considered that the proposed development is acceptable in terms of any impact on ecology, which can be reasonably mitigated or protected through the submission of further information to comply with conditions imposed on the outline consent and through the submission of further reserved matter applications for the wider site. This is in accordance with policies Bicester 10 and ESD 10 of the CLP 2031 Part 1.

#### Drainage and Flood Risk

- 8.44. Policy Bicester 10 of the CLP 2031 Part 1 identifies the area within the east of the site as flood plain and requires that a sequential approach be followed. Where possible buildings should be located away from areas at high risk of flooding. The development should be made safe without increasing flood risk elsewhere requiring full mitigation of flood risk in accordance with policies ESD 6 and ESD 7.
- 8.45. In accordance with the approved parameter plans, the phase 1 reserved matters proposals do not include any development within the eastern part of the site identified as flood plain. Conditions have been imposed on the outline consent to ensure that the development is brought forward in accordance with the approved Flood Risk Assessment and Drainage Assessment including specified finished floor levels and the inclusion of compensatory floodplain storage.
- 8.46. Condition no.40 of the outline consent also requires the submission of a surface water drainage scheme, details pursuant to which have already been submitted for approval. OCC drainage engineers will be consulted as part of that process.
- 8.47. OCC have raised no objection to the reserved matters application but have requested some revisions to the surface water drainage design. This is expected to be dealt with as part of the discharge of condition process and not through this reserved matter application.
- 8.48. In this regard, it is considered that the proposed drainage arrangement demonstrated through this reserved matter application is acceptable subject to the discharge of detail required by condition, in consultation with OCC drainage

engineers. This is in accordance with policies Bicester 10 and ESD 6 and 7 of the CLP 2031 Part 1.

### Environmental Impact Assessment

- 8.49. The outline application for the site was supported by an Environmental Statement (ES) dated August 2019. The scope of the ES considers in detail the following topics: Biodiversity, Water Resources and Flood Risk, Transport and Access and Cumulative Effects having regard to the site's allocation for employment use, the nature and likely impacts of the proposed uses, and the site constraints.
- 8.50. This reserved matter application is consistent with the parameters approved through the outline permission as has been discussed and any mitigation identified through the EIA has been secured by planning condition. The EIA information is considered sufficient to consider the environmental matters of this reserved matters application and it has been taken into account where relevant in the consideration of this reserved matters application.

## **9. PLANNING BALANCE AND CONCLUSION**

- 9.1. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 requires that the three dimensions to sustainable development (economic, social and environmental) are not undertaken in isolation, but are sought jointly and simultaneously.
- 9.2. This application seeks reserved matters approval for the first phase of employment development. The land has outline approval for a scheme of B1 employment development. The application for reserved matters provides details of the layout, scale, appearance and landscaping of the development. As has been assessed through this appraisal, the layout, scale, appearance and landscaping are all considered to be acceptable for the reasons given, and the proposal is considered acceptable in all other respects.
- 9.3. Approval is thus recommended subject to conditions.

## **10. RECOMMENDATION**

That permission is granted, subject to the following conditions

1. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the application forms and the following plans and documents:

18022 – TP – 101 B Site Location Plan  
18022 – TP – 001 B Phase 1 Proposed Site and Finishes Plan  
18022 – TP – 002 Units 1-3 Floor Plans  
18022 – TP – 003 Units 1-3 Elevations  
18022 – TP – 004 Units 1-3 Sections  
18022 – TP – 005 Unit 4 Floor Plans  
18022 – TP – 006 Unit 4 Elevations  
18022 – TP – 007 Unit 4 Sections  
18022 – TP – 008 Refuse Enclosure Detail  
18022 – TP – 009 Cycle Shelter Detail  
18022 – TP – 010 Entrance Canopy Detail  
18022 – TP – 011 External Finishes sample Board  
1463 – ESC – 00 – 22 – DR – E – 2100 P1 External Lighting Layout  
RFM – XX – 00 – DR – L – 0001 PLO4 Phase 1 Planting Plan 01

RFM – XX – 00 – DR – L – 0002 PLO4 Phase 1 Planting Plan 02  
RF18 – 598 – R – 02 – PL02 Landscape Management and Maintenance Plan

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

2. Prior to the first occupation of any building, the provision for EV charging points as shown on drawing number 18022 – TP – 001 – B (Phase 1 Proposed Site and Finishes Plan) serving that building shall be installed and made available for use and retained as such thereafter.

Reason: To comply with Policies SLE 4, ESD 1, ESD 3, ESD 5 and Bicester 1 of the adopted Cherwell Local Plan 2011-2031 Part 1 and to maximise opportunities for sustainable transport modes in accordance with the National Planning Policy Framework.

3. Prior to the first occupation of any building, cycle parking to serve that building shall be provided in the positions shown on drawing number 18022 – TP – 001 – B (Phase 1 Proposed Site and Finishes Plan) and in accordance with the details shown on drawing number 18022 – TP – 009 C (Cycle Shelter Details). The cycle parking shall be retained and maintained for the parking of cycles in connection with the development thereafter.

Reason: To comply with Policies SLE 4, ESD 1, ESD 3, ESD 5 and Bicester 1 of the adopted Cherwell Local Plan 2011-2031 Part 1 and to maximise opportunities for sustainable transport modes in accordance with the National Planning Policy Framework.

4. Full details of any enclosures along all boundaries and within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of those works.

Reason : To ensure the satisfactory appearance of the completed development, to safeguard the privacy of the occupants of the existing and proposed dwellings and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policies C28 and C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

5. Notwithstanding the provisions of Class A of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and its subsequent amendments, no gate, fence or other means of enclosure shall be erected, constructed or placed on the site other than those submitted and approved under condition 4 (above).

Reason - To ensure the satisfactory appearance of the development, in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

#### **PLANNING NOTES**

1. Before granting this planning permission the Council has taken into account the environmental information relating to the development (within the meaning of the Town and Country Planning (Environmental Assessment) (Regulations) 2017 (as amended).

2. The applicant is reminded that to comply with condition 50 of planning permission 19/01740/HYBRID ducting should be in place to allow for the easy expansion of the EV charging system as demand increases towards the planned phase out of ICE vehicles (ideally ducting should be provided to every parking space to future proof the development).

Case Officer: Bernadette Owens

DATE: 22.12 20

Checked By: Andy Bateson

DATE: 23.12.20

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